

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: HECTOR F SEDA DIAZ  
LILLIAN J MELENDEZ CASTILLO

Bkrtcy. No. 10-06852-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Jul 30, 2010</u>	Meeting Date: <u>Sep 02, 2010</u>	DC Track No. <u>2</u>
Days from petition date: <u>34</u>	Meeting Time: <u>8:00 AM</u>	
910 Days before Petition: <u>2/1/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Aug 26, 2010 Dkt.# 10</u>	<input type="checkbox"/> Amended.
This is debtor(s) <u>1</u> Bankruptcy petition.	Plan Base: <u>\$28,500.00</u>	
This is the <u>1</u> Scheduled Meeting	Confirmation Hearing Date: <u>Sep 22, 2010</u>	Time: <u>2:00 PM</u>
Payment(s) <input type="checkbox"/> Received or <input checked="" type="checkbox"/> Evidence shown at meeting:	CK/MO No. <u>4356</u> Date <u>9/4/10</u> Amount <u>\$ 475.00</u>	Total Paid In: <u>\$0.00</u>

I. <u>Appearances:</u>		<input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference	<input type="checkbox"/> Creditor(s) present: <input type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	
<input checked="" type="checkbox"/> Joint Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.			
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present			
<input type="checkbox"/> Substitute attorney: <u>J. Prieto</u>	<input type="checkbox"/> Pro-se.		

II. Attorneys Fees as per R 2016(b) Statement	Attorney of record: <u>JOSE PRIETO CARBALLO*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$426.00</u> Outstanding: <u>\$2,574.00</u>
	THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss: <input type="checkbox"/> For Failure to appear; <input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting	
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$ 12,433.00</u>
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>0</u>
<u>15/0</u> The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <u>Plan confirmation.</u>	
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input checked="" type="checkbox"/> HELD OPEN FOR <u>15</u> DAYS	
§341 Meeting Rescheduled for: <u>Submit 1040 PR 2006-2009</u>	

V. Trustee's OBJECTIONS to Confirmation:	
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(7)]	<input checked="" type="checkbox"/> INSUFFICIENTLY FUNDED <input type="checkbox"/> To pay \$507 <input checked="" type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3) <input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:
<u>① Both debtors work as professional services. Must submit IRS tax returns</u>
<u>② Trustee to evaluate contrato submitted with Dept. of Agricultura and if any effect over estate.</u>

/s/ José R. Carrión  
Trustee

Julio Prieto  
Presiding Officer

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Date: Sep 02, 2010

③ Review Plan for 2016. Att. Fees